REQUEST FORM FOR APPLICATION UNDER 37 CFR 1.53(b)

DOCKET NUMBER: 57810-084

Prior Application:

Art Unit:

2818

Examiner:

LE, DUNG ANH

BOX FEE Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This is a Request for filing a Divisional application under 37 CFR 1.53(b) of pending prior application

Serial No. 10/084,050, filed on February 28, 2002, entitled NITRIDE-BASED SEMICONDUCTOR

ELEMENT(AS AMENDED), by the following named inventors: Nobuhiko HAYASHI, Tatsuya KUNISATO,

Hiroki OHBO, Tsutomu YAMAGUCHI.

1. 🔀	I hereby state that the enclosed application contains no new matter.				
2.	Oath or Declaration a.				
3. 🛛	Incorporation By Reference (useable if Box 2b is checked) The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 2b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.				
4. 🗌	Preliminary Amendment is enclosed.				
5. 🛛	An Information Disclosure Statement and PTO1449 Form are submitted herewith.				
6. 🛛	Cancel claims 1-6				

7. The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 6 above:

	NO. OF CLAIMS	1)	EXTRA CLAIMS	RATE	AMOUNT
Total Claims	22	-20	2	\$18.00 =	\$36.00
Independent Claims	5	-3	2	\$86.00 =	\$172.00
Basic Application Fee					\$770.00
If multiple dependent claims are presented, add \$0.00					\$0.00
Total Application Fee \$978.0					
Subtract ½ if small entity					\$0.00
TOTAL APPLICATION FEE DUE					\$978.00
AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT NO. 500417					\$978.00

	Total Application Fee	\$976.00			
	Subtract ½ if small entity	\$0.00			
	TOTAL APPLICATION FEE DUE	\$978.00			
	AMOUNT TO BE CHARGED TO DEPOSIT ACCOUNT NO. 500417	\$978.00			
7a. 🗌	Enclosed is a Verified Statement to establish small entity status under 37 CFR 1.9 a	nd 37 CFR 1.27.			
7b. 🗌	A verified Statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 was filed in prior application and such status is still proper and desired.				
8a. 🛛	PLEASE CHARGE DEPOSIT ACCOUNT 500417 in the amount of \$978.00				
8b. 🔯	The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required, including any extension of time fees to maintain the pendency of the parent application Seria No. 10/084,050 or credit any overpayment to Deposit Account No. 500417.				
9. 🛛	Amend the specification by inserting before the first line the sentence:				
	This application is a divisional of Application Serial No. 10/084,050 filed Februa	ry 28, 2002			
10.	Priority of Application Serial No. <u>JP 2001-56284</u> filed on <u>March 1, 2001</u> , in JAPAN is claimed under 35 USC 119. The certified priority document was filed in Serial No. <u>10/084,050</u> on February 28, 200				
11. 🛛	The prior application is assigned of record to				
	SANYO ELECTRIC CO., LTD Osaka, JAPAN				
12. 🛛	The power of attorney in the prior application is to:				
	McDermott, Will & Emery				
13. 🔲	Also enclosed:				

DOCKET NUMBER: '57810-084

14. A petition, fee and response has been filed to extend the term in the pending prior application until.

Address all future communications to: (May only be completed by applicant, or attorney or agent of record)

McDermott, Will & Emery 600 13th Street, N.W. Washington, DC 20005-3096

Respectfully submitted,

MCDERMOTT, WILL & EMERY

Arthur J. Steiner

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Date: March 10, 2004